



# Town of Berwyn Heights

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**MAYOR**  
Amanda M. Dewey

**COUNCIL MEMBERS**  
Jodie A. Kulpa-Eddy (Mayor Pro Tem)  
Christopher S. Brittan Powell  
Jason W. Papanikolas  
Ethan D. Sweep

## Town Meeting Minutes November 10, 2020 | 7:00 pm

This meeting was held by videoconference due to the ongoing COVID-19 health emergency. The meeting was broadcast on Berwyn Heights cable TV channels and streamed on the Town website. Residents were given the opportunity to comment by telephone and email.

### Call to Order 7:00 p.m.

Present were Mayor Amanda Dewey, Mayor Pro Tempore (MPT) Jodie Kulpa-Eddy, Councilmembers (CMs) Chris Brittan-Powell, Jason Papanikolas, and Ethan Sweep. Also present were Interim Town Manager (ITM) Laura Allen, Town Clerk Kerstin Harper, WSSC Government Affairs Manager Monica Marquina, Project Manager Bhusan Basnet, WSSC Contract Manager Onasanya Abolanle and Customer Advocate David Wilkins, and Neighborhood Watch/ Emergency Preparedness Chair Mike Attick.

### Pledge of Allegiance

#### 1. Announcements

Mayor Dewey announced that Town Offices will be closed for Veterans Day.

#### 2. Approval of the Agenda

On a motion by CM Sweep and second by CM Papanikolas, the agenda was approved 5 to 0.

#### 3. Presentation

Mayor Dewey welcomed WSSC Government Affairs Manager Monica Marquina, Project Manager Bhusan Basnet, Contract Manager Onasanya Abolanle and Customer Advocate David Wilkins for a presentation of the Greenbelt Road watermain replacement project. Ms. Marquina introduced the WSSC team.

Mr. Basnet gave an overview of the project. He said WSSC is in the process of strategically replacing and rehabilitating its aging water and sewer pipes throughout the service area. The Greenbelt Road project will replace approximately 1.13 miles of water mains and service connections up to the property line along Greenbelt Road and Branchville Road between Kenilworth Avenue and Greenbelt Station Parkway. The new pipes are expected to last up to 100 years and reduce disruptions to the community due to water main breaks. Construction started in October this year and is expected to be completed by September 2021, with restoration work continuing through the summer of 2022.

Ms. Abolanle provided details of operation. She said construction will occur Monday through Friday from 9:00 a.m. to 3:30 p.m., plus nightwork, as needed, for multi-lane closures and service shutoffs. Notification of water shutoffs will be given 48-72 hours in advance. Construction will be open trench

and activities may include field inspections, survey crews, test pits, construction crews, and noisy heavy machinery. Traffic impacts include lane closures and parking restrictions, but access to properties will be largely maintained. Relevant signage will be posted.

Mr. Basnet and Ms. Abolanle responded to question as follows:

- WSSC restoration work generally restores roadways and sidewalks to the conditions present prior to construction. No new features are added, but coordination with the County or State on road improvements is possible.
- The affected properties are mainly businesses, although a few residential properties close to Greenbelt Road may also be impacted.
- Access to businesses via driveways will be maintained as best as possible.
- WSSC has already notified Beltway Plaza and other business owners but is happy to work with the Town to get the word out about upcoming service disruptions.
- BHVFD has been included in the general notice of the project and will be notified again when construction takes place at 60<sup>th</sup> Avenue and Greenbelt Road.
- WSSC contractors will be advised not to drive heavy trucks and machinery on Town streets wherever possible.

#### **4. Public Hearing**

***Ordinance 181-A – Budget Amendment for Server Replacement:*** Mayor Dewey said this Ordinance would amend the FY 2021 budget to provide funding for replacement of a server that has recently experienced outages. Money was in last year’s budget but was not used because the server was still working.

At 7:38 p.m., Mayor Dewey opened the public hearing on the budget amendment. Gerald Shields, Nevada Street, commented by telephone that he supports the purchase of a new server so the Council can continue to hold meetings and residents can access the Town website. With no further comments, Mayor Dewey closed the public hearing at 7:40 p.m.

***Ordinance 181-B – Budget Amendment for Architectural Study:*** Mayor Dewey explained that this Ordinance amends the FY 2021 budget to reappropriate funds for an architectural study that was commissioned in FY 2020 but completed in FY 2021.

At 7:40 p.m., Mayor Dewey opened the public hearing. Mike Attick, 62<sup>nd</sup> Avenue, inquired by telephone what the difference between the current and proposed new server is. ITM Allen replied that it would be functionally the same as the current server, i.e. a physical and not a cloud-based server, except newer. The current server is approximately 5 years old. A cloud-based server was explored but not chosen because it would require redesigning a host of related IT processes and it would make the Town dependent on the vendor that offers cloud-based servers.

Joan Hayden, Seminole Street, asked why the Town is not getting a server that works for the future and what the cost of a cloud-based server would be. Mayor Dewey replied the replacement server will work for the future. A cloud-based server may be considered long-term.

There were no comments on the architectural study. The hearing was closed at 7:49 p.m.

## 5. Approval of Minutes

MPT Kulpa-Eddy moved, and CM Sweep seconded to approve the October 5 worksession minutes. The minutes were approved 5 to 0. MPT Kulpa-Eddy moved, and CM Sweep seconded to approve the October 14 Town meeting minutes. The minutes were approved 5 to 0.

## 6. Mayor's Report

Mayor Dewey thanked everyone for complying with COVID-19 protocols and for voting in the Presidential Election. She then made announcements about progress with the tree planting program, application for a Maryland Smart Energy Communities grant, establishment of a Greenbelt Road Task Force and appointment of a Town Manager, which will be taken up under New Business.

Mayor Dewey also noted that COVID-19 infections are again on the rise and that it is important for everyone to stay vigilant and keep families and our community safe by following the directives.

## 7. Department Reports

CM Papanikolas moved, and CM Sweep seconded to accept the department reports into the record. The motion passed 5 to 0.

**Administration:** CM Papanikolas reported that Pepco will finish their tree trimming project this week, and that the Administration Department is working with the County on the disbursement of CARES Act funds.

**Town Manager's Report:** ITM Allen reported that Berwyn Heights CARES Act funds are largely unspent because much of it is dedicated to the business relief program. To date, only a few incomplete applications have been received. Berwyn Heights has requested to reallocate some CARES Act funds to areas where it is needed, such as the Police Department's COVID-related expenses. Berwyn Heights is still waiting to receive the 2<sup>nd</sup> CARES Act disbursement. However, a deep cleaning of Town facilities, a CARES Act-eligible expense, has been scheduled for this weekend and another for early December. In other news, subscriptions to the e-newsletter are rising.

MPT Kulpa-Eddy asked several questions about the Treasurer's report. ITM Allen replied as follows: Real property tax receipts are expected to come in on budget. Although the October-November disbursement was less than budgeted, it is likely that the deficit will be made up with the coming disbursement in February-March. State Aide for Police Protection funds are disbursed quarterly. First quarter receipts are on target. Expenditures for the recruitment of a new Town manager are booked under the 'miscellaneous' line item, whereas all COVID-related expenses are booked under 'employee wellness' for ease of tracking.

**Code Compliance:** CM Brittan-Powell said that Code staff continues to provide all code services in a fashion consistent with COVID-19 restrictions.

In response to a question from MPT Kulpa-Eddy, ITM Allen said a monthly report reflects only (dumpster) permits issued in the current month, not permits issued in the previous month that are still in effect. She will discuss with Director Goodwin how permit information can best be captured in monthly reports.

**Parks, Recreation, Education and Civic Affairs:** MPT Kulpa-Eddy reported that M-NCPPC is holding community meetings about multi-generational centers it plans to build in each service area. Berwyn

Heights is in service area 2, for which a center is proposed to be built near Prince George's Plaza. The next nearest center is to be built in Glenridge at the intersection of Rt. 410 and Rt. 450. Further, County Councilmember Glaros will host a virtual meeting on the raincheck rebate program, hosted by local students, who will answer residents' questions about making stormwater improvements on their properties.

**Public Works:** CM Sweep reported that Public Works is in the process of planting trees for homeowners who have requested them through the program. The trash schedule has been altered because of Veterans' Day. Curbside collection of leaves has begun. Residents are requested to rake leaves to the curb and not park vehicles in front of the piles. Bagged leaves set out on yard waste days continue to be collected as well.

**Public Safety:** Mayor Dewey reported that BHPD will participate in an implicit bias police training program at the University of Maryland, for which it will be compensated. NW/EP held its first virtual meeting last Wednesday. Several new residents participated. BHPD has set up a mailbox for kids to deposit their letters to Santa. In October, Town Councilmembers and staff celebrated Chief Antolik's 10<sup>th</sup> year as police chief.

## 8. Committee Reports

**Education Advisory Committee:** MPT Kulpa-Eddy reported that the BHEAC will hold its next virtual meeting on November 23. The Committee is developing a grant application process for Town education funds and is consulting with the College Park Education Committee about their process. Cutbacks of up to 10% are expected in the upcoming school budget.

**Green Team:** Mayor Dewey announced the next virtual Green Team meeting will be on November 12. Members plan to discuss a potential tree ordinance, stormwater issues, a litter survey, feral cats, and Bee City USA certification. All are invited to attend.

**Historical Committee:** MPT Kulpa-Eddy reported that the next BHHC meeting has been moved to November 16. The Committee is reviewing historic marker language and plans to restart their oral histories program.

**Neighborhood Watch/ Emergency Preparedness:** MPT Kulpa-Eddy reported that the NW/EP Committee's next virtual meeting will be on December 2. Those interested in participating should contact BHPD Clerk Muralles. At the previous meeting, attendees discussed which activities can be done virtually, traffic violations by bicyclists, and items to be placed the next Bulletin.

**Recreation Council:** MPT Kulpa-Eddy reported that the Recreation Council is conducting business via email. Those wishing to participate should contact Susan Jones at [violindreams@verizon.net](mailto:violindreams@verizon.net). The Recreation Council held a Halloween Decorating contest and selected the following winners: Scariest - 6006 Quebec Street; Most Creative - 8718 62nd Avenue; and a tie for Best Decorated - 5713 Nevada Street and 8508 Cunningham Drive. The winners of the best Halloween costume contest were Meg Miller and the Pasco family. Upcoming Recreation Council events include a virtual Team Trivia Night on November 13 and virtual Tree Lighting on December 5.

## 9. Old Business

**Ordinance 181-A – 2<sup>nd</sup> Reading and Adoption of Budget Amendment to Purchase Server:** Clerk Harper read the Ordinance. Mayor Dewey stated the reason for the replacement of the old server is its

age and decreasing reliability. CM Brittan-Powell moved to adopt the Ordinance. MPT Kulpa-Eddy seconded.

ITM Allen reiterated the reason a cloud-based server was not pursued at this time is the need for a lengthier exploration of how to mitigate against the risk of the service provider going out of business. CM Sweep commented that he would like the Town to consider cloud-based servers in the future but for now the physical server seems the best solution. With no further comments, the motion passed 5 to 0.

***Ordinance 181-B – 2<sup>nd</sup> Reading and Adoption of Budget Amendment for Architectural Study:***

Mayor Dewey explained that funds to pay for the architectural study need to be reappropriated because the study was commissioned in FY 2020 but not carried out until this fiscal year. Clerk Harper read the Ordinance. MPT Kulpa-Eddy moved, and CM Brittan-Powell seconded to approve the Ordinance.

CM Brittan-Powell sought clarification that this budget amendment would pay for the architectural feasibility study for relocating the police department that was completed in September. ITM Allen confirmed that this would pay for the service already rendered. However, the architects are still exploring the possibility of a joint public safety building on BHVFD property.

CM Brittan-Powell recalled that a citizen suggested the Town might have utilized the findings of an earlier study on the same subject and saved money. MPT Kulpa-Eddy said the 2001 police station study did not include all the specifications for the new facility BHPD provided this time. The money for the new study was first appropriated several Councils ago but was not used until now. With no further comments, the motion to approve the budget amendment passed 5 to 0.

**10. New Business**

***Approval of Town Manager Contract:*** Mayor Dewey explained that tonight's appointment concludes Berwyn Heights' 4-month search for a new Town Manager. The in-depth process included written questions for candidates, Council and staff interviews, Council discussions, and a citizen survey. The Town was lucky to have had multiple good candidates apply for the position. The Council selected Laura Allen, who has been serving as Interim Town Manager since July and has over 20 years of local government management experience, with special expertise in finance.

ITM Allen said she is taking this responsibility very seriously and is looking forward to working with everybody. She hopes to meet more members of the community personally once circumstances allow.

On a motion by CM Sweep and second by CM Papanikolas, the Town Manager's contract was approved 5 to 0, as amended.

***Swearing-in of Town Manager:*** Mayor Dewey swore in Town Manager Allen.

***Resolution 15-2020 - Employee Handbook Update:*** Mayor Dewey explained that this update of the Employee Handbook finalizes Town Council actions initiated, but not completed by the previous Town Council. TM Allen explained the update incorporates a Police Take Home Vehicle & Locality Pay Policy that was heretofore a Council Rule and adds sections on limited vacation time for part-time employees and short-term disability insurance that were funded in the FY 2021 budget.

CM Sweep moved to approve the Resolution. MPT Kulpa-Eddy seconded. The motion passed 5 to 0.

**Resolution 3-2020 – Investment Policy:** Mayor Dewey said the State requires each municipality to have an investment policy on file. Berwyn Heights last filed an investment policy in 1995, which prompted an effort to update the policy under TM Broadbent, which was continued under TM Allen.

TM Allen explained the policy was updated to reflect best practices in investment for public agencies with the goal of ensuring the safety of invested capital while maximizing returns and maintaining liquidity. Another objective is selecting investments that do not require a lot of staff time to manage. The policy includes requirements for internal controls, regular reports, and an annual review of the policy. Once approved, the policy will be submitted to the State Treasurer’s Office for review.

CM Sweep moved to adopt Resolution. CM Papanikolas seconded. MPT Kulpa-Eddy suggested to add a provision requiring that quarterly reports being generated by the Town Treasurer also be submitted to the Town Council. There were no objections. The motion passed 5 to 0 as amended.

**SHA Salt Agreement:** TM Allen explained that the Town has periodically entered into agreements with SHA to provide road salt for the treatment of ice and snow in winter. This contract is for 3 years in the amount of \$56,000. Based on usage, the actual cost is estimated to range from \$5,000 to \$15,000 per year. The Town Manager would be authorized to execute the agreement.

MPT Kulpa-Eddy moved, and CM Sweep seconded to adopt the Resolution. MPT Kulpa-Eddy said having a contractual agreement with SHA is a good idea because the Town has had difficulty securing salt in some years. The motion passed 5 to 0.

**Resolution 16-2020 - Authorizing Town Manager to Execute Constellation Contract within Certain Parameters:** Mayor Dewey said she recently enquired with the Town Manager what energy supply options are available for the Town. It was then discovered that the Town’s contract with Constellation Energy had expired and that the Town is currently operating on month-to-month billing, which is expensive. The proposed Resolution would authorize the Town Manager to negotiate and enter into a longer-term renewable energy contract under certain parameters:

- The kilowatt per hour (kwh) price cannot be higher than the current price the Town is paying;
- The purchase must be consistent with federal and state requirements;
- The purchase is limited to renewable energy sources; and
- The term of purchase cannot be longer than 6 years.

TM Allen added that, due to the constant fluctuation in energy prices, it is difficult to present the Council with a contract that sets a particular price. The Town Manager would therefore be authorized to negotiate a longer-term contract under the parameters stated above. Prices tend to be lower the longer the term of the contract is.

CM Sweep moved to adopt the Resolution. CM Papanikolas seconded for the purposes of discussion. MPT Kulpa-Eddy asked if the Town has already decided it wants to use 100% renewable energy and what price it currently pays. Mayor Dewey and TM Allen replied that the purchase of renewable energy set forth in the Resolution is based on staff recommendation and the Town’s green purchasing policy. The current month-to-month rate the Town pays is \$0.0899 per kwh as opposed to Constellation renewable contract rates ranging from \$0.06051 for 12 months to \$0.05822 for 60 months.

In the ensuing discussion the following points were made:

- It would be useful to know how non-renewable energy prices compare to renewable prices and whether Constellation contracts impose contract termination fees.

- Future Councils may want to choose different energy suppliers and should not be impeded by long-term contracts. A medium-length contract of up to 3 years is preferable.
- The Resolution could be revised to require that the renewable energy price cannot be more than a specified percentage above the non-renewable price.
- Use of renewable energy aligns with the Town's green purchasing policy
- Many residents support the use of renewable energy
- Non-renewable energy probably equates to burning of fossil fuels, which contribute to global warming.
- Switching to renewable energy would help reduce the Town's carbon footprint, a Sustainable Maryland priority
- Environmental priorities should be balanced with being good stewards of the Town's money.
- The Town may want to consider obtaining expert advice as the energy market is volatile and difficult to predict.
- The Town may choose to install solar panels on its facilities or generate other renewable energy, which might be incorporated into an energy contract.
- Postponing adoption of the Resolution will mean continuing to pay high month-to-month rates.

Mayor Dewey proposed to move forward with signing a new energy contract under the following conditions:

- Renewable energy price should not be more than 15% above the non-renewables price.
- Energy contract term should not exceed 3 years.
- Energy supplier should be requested to purchase any energy generated by the Town.

CM Sweep moved to amend the Resolution to incorporate the above parameters. Mayor Dewey seconded. Mike Attick, 62<sup>nd</sup> Avenue, commented by telephone. He suggested the Town find out what the kwh cost of energy for a 6-year term is to determine what savings it would yield, then decide what contract length is the best deal. He does not believe future Councils will object to a long-term contract if it saves money. The motion to adopt the Resolution failed 2 to 3, with MPT Kulpa-Eddy, CM Papanikolas and CM Brittan-Powell requesting more comparative price information.

Council agreed to resume the discussion about renewal of an energy contract at a future worksession when the requested information is available.

**Approval of Server Purchase:** TM Allen explained that she received a quote of \$13,833 for a new server, plus \$215 for monthly cloud backup service, from the Town's IT vendor Peake Technology Partners. So far, she was unable to obtain comparative quotes and proposed the Council approve the server purchase from Peake with an amount not to exceed the quote. The funding would come from the Town's cable reserve.

CM Papanikolas moved to approve the purchase. CM Sweep seconded. The motion passed 5 to 0

## **II. Citizen Discussion**

Joan Hayden, Seminole Street, asked via email whether any employees have contracted COVID-19 and receive support; whether a discussion of new energy contracts shouldn't be had prior to the expiration of the current contract, whether solar panels are a good idea, and whether resolutions are available for viewing by citizens.

Mayor Dewey and TM Allen replied that staff is doing well, except for morale issues related to the pandemic. The expiration of the current energy contract without renewal arrangements was an oversight complicated by an acquisition of the electricity supplier previously used by the Town. Solar panels may be considered in conjunction with upgrades to Town facilities, and all background documentation for Council meetings are available on the website with the video archives.

Mike Attick asked where the Town's Administration vehicle is that was used by the previous Town Manager. He was informed that it is in the Police Station parking lot. Mr. Attick continued that the Town of Edmonston received a grant to install new streetlights along their main street and asked if Berwyn Heights has explored grants for streetlights with Pepco. Mayor Dewey replied that there may be an opportunity to ask them about this as a Pepco representative will attend the next worksession.

The meeting was adjourned at 10:10 p.m.

Signed: *Kerstin Harper*, Town Clerk